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and through the Oregon State Treasurer on behalf of the Common
School Fund and, together with the Oregon Public Employees
Retirement Board, on behalf of the Oregon Public Employees
Retirement Fund and Oklahoma Teachers Retirement System and
Proposed Co-Lead Counsel for the Class*

26 [Add'l counsel listed following signature page]

27
28 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 ALLAN J. NICOLOW, Individually and on
22 Behalf of All Others Similarly Situated,

23 Plaintiff,

24 v.

25 HEWLETT-PACKARD COMPANY, LEO
26 APOTHEKER, MARGARET C.
27 WHITMAN, CATHERINE A. LESJAK, and
JAMES T. MURRIN,

Defendants.

Case No. CV-12-05980 CRB

**DECLARATION OF BLAIR A.
NICHOLAS IN SUPPORT OF THE
MEMORANDUM OF POINTS AND
AUTHORITIES IN FURTHER SUPPORT
OF THE MOTION OF PGGM, OREGON
AND OKLAHOMA FOR APPOINTMENT
AS LEAD PLAINTIFF AND IN
OPPOSITION TO THE COMPETING
MOTIONS**

Date: March 1, 2013
Time: 10:00 a.m.
Room: 6 – 17th Floor
Judge: Charles R. Breyer

28 (Additional captions on following pages)

29 DECL. B. NICHOLAS IN SUPPORT OF THE MEMO P&AS IN FURTHER SUPPORT
30 OF MOT. OF PGGM, OREGON AND OKLAHOMA FOR APP'T AS LP. AND IN OPP.
31 TO COMPETING MOTS. Case No. CV-12-05980 CRB

1 DAVIN POKOIK, Individually and on
2 Behalf of All Others Similarly Situated,

Case No. CV-12-06074 CRB

3 Plaintiff,

4 v.

5 HEWLETT-PACKARD COMPANY,
6 AUTONOMY CORPORATION PLC,
7 DELOITTE LLP, LEO APOTHEKER,
8 MARGARET C. WHITMAN, CATHERINE
9 A. LESJAK, JAMES T. MURRIN,
10 MICHAEL R. LYNCH, and SUSHOVAN
11 HUSSAIN,

12 Defendants.

13 PAUL NEUMANN,

Case No. CV-13-00284 CRB

14 Plaintiff,

15 v.

16 HEWLETT-PACKARD COMPANY,
17 MARGARET C. WHITMAN, LEO
18 APOTHEKER, JAMES T. MURRIN,
19 CATHERINE A. LESJAK, and MARK
20 HURD,

21 Defendants.

22 DECL. B. NICHOLAS IN SUPPORT OF THE MEMO P&AS IN FURTHER SUPPORT
23 OF MOT. OF PGGM, OREGON AND OKLAHOMA FOR APP'T AS LP. AND IN OPP.
24 TO COMPETING MOTS.

25 Case No. CV-12-05980 CRB

1 I, Blair A. Nicholas, declare as follows:

2 1. I am a partner with the law firm of Bernstein Litowitz Berger & Grossmann LLP.

3 I submit this Declaration in support of the Memorandum of Points and Authorities in Further
4 Support of the Motion of PGGM Vermogensbeheer B.V. (“PGGM”), the State of Oregon by and
5 through the Oregon State Treasurer on behalf of the Common School Fund and, together with the
6 Oregon Public Employees Retirement Board, on behalf of the Oregon Public Employees
7 Retirement Fund (“Oregon”) and Oklahoma Teachers Retirement System (“Oklahoma”) and in
8 Opposition to the Competing Motions. I have knowledge of the facts set forth herein and, if
9 required, could and would competently testify thereto.

10 2. Attached hereto as Exhibit A is a true and correct copy of the Order Appointing
11 The Virginia Retirement System And Her Majesty The Queen In Right Of Alberta As Lead
12 Plaintiff And Approving Their Selection Of Co-Lead Counsel in *Deangelis v. Corzine, et al.*, No.
13 11-cv-07866-VM, ECF No. 140 (S.D.N.Y. Jan. 20, 2012).

14 3. Attached hereto as Exhibit B is a true and correct copy of the Order appointing
15 lead plaintiff in *Watkins v. Shoretel Inc.*, No. 08-cv-00271-CRB, ECF No. 27 (N.D. Cal. Apr. 25,
16 2008).

17 4. Attached hereto as Exhibit C is a true and correct copy of the Order Appointing
18 The LE Group As Lead Plaintiff And Appointing Lead Counsel in *In re Leadis Tech., Inc. Sec.*
19 *Litig.*, No. 05-cv-00882-CRB, ECF No. 19 (N.D. Cal. June 10, 2005).

20 5. Attached hereto as Exhibit D is a true and correct copy of the Joint Stipulation
21 And Order Of Lead Plaintiff Applicants To Appoint Lead Plaintiffs And To Approve Lead
22 Plaintiffs’ Selection Of Lead Counsel, Executive Committee And Liaison in *In re Solelectron*
23 *Corp. Sec. Litig.*, No. 03-cv-00986-CRB, ECF No. 53 (N.D. Cal. June 2, 2003).

24 I declare under penalty of perjury that the foregoing is true and correct. Executed this 8th
25 day of February, 2013.

26 /s/ Blair A. Nicholas

27 BLAIR A. NICHOLAS

ADDITIONAL COUNSEL

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DECL. B. NICHOLAS IN SUPPORT OF THE MEMO P&AS IN FURTHER SUPPORT OF MOT. OF PGGM, OREGON AND OKLAHOMA FOR APP'T AS LP. AND IN OPP. TO COMPETING MOTS.

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2013, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on February 8, 2013.

BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP

/s/ Blair A. Nicholas
BLAIR A. NICHOLAS

MAIL NOTICE LIST

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